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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Aamer Ahmad Sarfraz

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TUROCY & WATSON, LLP
127 Public Square
57th Floor, Key Tower
CLEVELAND, OH 44114

EXAMINER

GRAHAM, CLEMENT B

ART UNIT

PAPER NUMBER

3691

NOTIFICATION DATE

DELIVERY MODE

11/26/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket1@thepatentattorneys.com
hholmes@thepatentattorneys.com
setoori@thepatentattorneys.com

Office Action Summary	Application No. 10/016,575	Applicant(s) SARFRAZ ET AL.	
	Examiner Clement B. Graham	Art Unit 3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 31-48 and 52-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 31-48 and 52-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 31-48, 52-56, remained pending.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/4/2010 has been entered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 31-48, 54-56, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogasawara et al (Hereinafter Ogasawara US Pub NO: 2002/0016739 A1) in view of Himmel et al (Hereinafter Himmel US Pub NO: 2003/0033272 A1).

As per claim 31, Ogasawara discloses a method of providing electronic receipts to a remote device comprising:

receiving, at a server, a receipt card account number ("i. e, IC Card with inherent account number") associated with a receipt card, wherein:

the receipt card identifies an electronic address of a database and includes information that identifies the receipt card account number the server is configured to receive request from a plurality of merchants for access to the database, the database is communicatively coupled to the server; and the receipt card account number is not a payment account (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033) causing the database to be populated with electronic receipts associated with the receipt card account number, wherein each electronic receipt comprises, a list of items purchased during a financial transaction, and unique transaction identification information for the financial transaction, receiving, at the server, a request, from the remote device, for a specific electronic receipt associated with specific the receipt card account number, accessing, at the server, the specific electronic receipt from the database and transmitting, from the server to said remote device, information indicative of said specific electronic receipt (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

Ogasawara fails to explicitly teach and associated with at least one merchant of said plurality of merchants and each electronic receipt.

However Himmel discloses the database may be on a credit card company server the product manufacturer's server a special cash receipts server or a central clearing house server. When the customer wants a copy of a receipt, he or she enters search parameters which specify the desired receipt. The search parameters may include item type, date of purchase, and method of purchase. A Smart Receipt object is then initiated, which retrieves the specified smart receipt from the appropriate database, according to the search parameters. A copy of the retrieved smart receipt is then downloaded to a client machine (e.g. PDA, PC) designated by the customer profile (Note abstract and see para 005-007, 0021, 0045, 0047).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kramer to include and associated with at least one

merchant of said plurality of merchants and each electronic receipt taught by Himmel in order to match a transaction with a receipt.

As per claim 32, Ogasawara discloses wherein said request for said specific electronic receipt is from a computer system located at a retailer who participated in a transaction associated with said specific electronic receipt (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 33, Ogasawara discloses wherein said request for said specific electronic receipt is from a customer's computer system (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 34, Ogasawara discloses wherein said unique transaction identification information further comprises:
the identity of the retailer who participated in said financial transaction, a transaction number, a gross amount, a sales tax, a date of said transaction, and a time of said transaction (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 35, Ogasawara discloses further comprising:
receiving, at the server, a request for a plurality of receipts associated with the specific receipt card account number (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 37, Ogasawara discloses further comprising:
receiving, at the server, a request for a transaction history associated with a receipt card account number; and sending, at the server, the requested transaction history to a computer system located at a retailer (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 38, Ogasawara discloses a tangible computer readable storage medium including computer executable instructions, the instructions that, when executed by a server, cause the server to provide electronic receipts by a method comprising:
instructions for receiving a request, from a remote device, for a specific electronic receipt associated with a specific receipt card account number ("i. e, IC Card with inherent account number"see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para

0009 and column 4 para 0033 and fig: 4) and instructions for accessing one the specific electronic receipt from a database of electronic receipts wherein the database is coupled to the server, and wherein the receipts in the database are received from a plurality of merchants and are associated with a receipt card account number, and a receipt card that identifies an electronic address of the database and information that identifies the receipt card account number (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4) wherein the receipt card account number associated with a receipt card account is not a payment account, and wherein each receipt includes a list of items purchased during a transaction and unique transaction identification information for each transaction and instructions for transmitting, to said remote device, information indicative of said specific electronic receipt (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

Ogasawara fails to explicitly teach at least one merchant of said plurality of merchants.

However Himmel discloses the database may be on a credit card company server the product manufacturer's server a special cash receipts server or a central clearing house server. When the customer wants a copy of a receipt, he or she enters search parameters which specify the desired receipt. The search parameters may include item type, date of purchase, and method of purchase. A Smart Receipt object is then initiated, which retrieves the specified smart receipt from the appropriate database, according to the search parameters. A copy of the retrieved smart receipt is then downloaded to a client machine (e.g. PDA, PC) designated by the customer profile (Note abstract and see para 005-007, 0021, 0045, 0047).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kramer to include at least one merchant of said plurality of merchants taught by Himmel in order to match a transaction with a receipt.

As per claim 39, Ogasawara discloses wherein said request for said specific electronic receipt is from a computer system located at a retailer who participated in a transaction associated with said specific electronic receipt (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 40, Ogasawara discloses wherein said request for said specific electronic receipt is from a customer's computer system (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 41, Ogasawara discloses wherein said unique transaction identification information further comprises:
the identity of the retailer who participated in said transaction, a transaction number, a gross amount, a sales tax, a date of said transaction, and a time of said transaction (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 42, Ogasawara discloses further comprising:
instructions for receiving a request for a plurality of receipts associated with the specific receipt card account number (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 44, Ogasawara discloses further comprising:
instructions for receiving a request for a transaction history associated with the specific receipt card account number and instructions for sending, at the server, the requested transaction history to a customer's computer system (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 45, Ogasawara discloses a system for providing electronic receipts to a remote device comprising:
a processor and computing memory communicatively coupled to the processor, the computing memory having stored therein computer executable instructions, the system configured to perform the following, receiving a request, from a remote device, for a specific electronic receipt associated with a specific receipt card account number ("i. e, IC Card with inherent account number" see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4) and accessing the specific electronic receipt from a database of electronic receipts, wherein the database is communicatively coupled to the server, and wherein the receipts in the database is received from a plurality of merchants and are associated with a receipt card account number, and a receipt card that identifies an electronic address of the database and information that identifies the receipt card account number, wherein

the receipt card account number associated with a receipt card account is not a payment account, and wherein each receipt includes a list of items purchased during a retail transaction and unique transaction identification information for each transaction and transmitting, to said remote device, information indicative of said specific electronic receipt (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

Ogasawara fails to explicitly teach at least one merchant of said plurality of merchants.

However Himmel discloses the database may be on a credit card company server the product manufacturer's server a special cash receipts server or a central clearing house server. When the customer wants a copy of a receipt, he or she enters search parameters which specify the desired receipt. The search parameters may include item type, date of purchase, and method of purchase. A Smart Receipt object is then initiated, which retrieves the specified smart receipt from the appropriate database, according to the search parameters. A copy of the retrieved smart receipt is then downloaded to a client machine (e.g. PDA, PC) designated by the customer profile (Note abstract and see para 005-007, 0021, 0045, 0047).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kramer to include at least one merchant of said plurality of merchants taught by Himmel in order to match a transaction with a receipt.

As per claim 46, Ogasawara discloses wherein said request for said specific electronic receipt is from a computer system located at a retailer who participated in a transaction associated with said specific electronic receipt (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 47, Ogasawara discloses wherein said request for said specific electronic receipt is from a customer's computer system (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 48, Ogasawara discloses wherein said unique transaction identification information further comprises:

an identity of the retailer who participated in said retail transaction, a transaction number, a gross amount, a sales tax, a date of said transaction, and a time of said transaction (see column 3 para

0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 54, Ogasawara discloses an apparatus for providing electronic receipts to a remote device comprising the means for receiving a request, from the remote device, for a specific electronic receipt associated with a specific receipt card account number ("i. e, IC Card with inherent account number"see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4) means for accessing one of the specific electronic receipt from a database of electronic receipts wherein the database is coupled to the server, and wherein the receipts in the database are received from a plurality of merchants and are associated with a receipt card account number and a receipt card that identifies an electronic address of the database and information that identifies the receipt card account number, wherein the receipt card account number associated with the receipt card account is not a payment account and wherein each receipt includes a list of items purchased during a financial transaction and unique transaction identification information for each transaction and means for transmitting, to said remote device, information indicative of said specific electronic receipt (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

Ogasawara fails to explicitly teach at least one merchant of said plurality of merchants.

However Himmel discloses the database may be on a credit card company server the product manufacturer's server a special cash receipts server or a central clearing house server. When the customer wants a copy of a receipt, he or she enters search parameters which specify the desired receipt. The search parameters may include item type, date of purchase, and method of purchase. A Smart Receipt object is then initiated, which retrieves the specified smart receipt from the appropriate database, according to the search parameters. A copy of the retrieved smart receipt is then downloaded to a client machine (e.g. PDA, PC) designated by the customer profile (Note abstract and see para 005-007, 0021, 0045, 0047).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kramer to include at least one merchant of said plurality of merchants taught by Himmel in order to match a transaction with a receipt.

As per claim 55, Ogasawara discloses a method of storing transaction information, the method comprising:
associating a receipt card with a user and a receipt card identification number (“i. e, IC Card with inherent account number”) wherein the receipt card identification number is associated with a receipt card account, the receipt card comprises a magnetic strip encoded with information indicative of the receipt card identification number, the receipt card account is associated with a plurality of electronic receipts, the receipt card account is not a payment account (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4) receiving, at a server, electronic receipts from a plurality of merchants, each receipt including transaction details for a transaction made by the user wherein the transaction details include a unique transaction identification, a list of items purchased and the receipt card identification number and storing, at a database, the electronic receipt in association with the receipt card account, wherein each receipt stored in the database is associated with unique transaction identification for each transaction (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

Ogasawara fails to explicitly teach at least one merchant of said plurality of merchants.

However Himmel discloses the database may be on a credit card company server the product manufacturer's server a special cash receipts server or a central clearing house server. When the customer wants a copy of a receipt, he or she enters search parameters which specify the desired receipt. The search parameters may include item type, date of purchase, and method of purchase. A Smart Receipt object is then initiated, which retrieves the specified smart receipt from the appropriate database, according to the search parameters. A copy of the retrieved smart receipt is then downloaded to a client machine (e.g. PDA, PC) designated by the customer profile (Note abstract and see para 005-007, 0021, 0045, 0047).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kramer to include at least one merchant of said plurality of merchants taught by Himmel in order to match a transaction with a receipt.

As per claim 56, Ogasawara discloses wherein the receipt card comprises a plastic housing having a front face whereon the receipt card identification number is embedded and a rear face whereon the receipt card identification number is encoded in a magnetic strip (see column 3 para

0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

4. Claims 52-53, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kramer et al (Hereinafter Kramer US Patent NO: 6, 324,525) in view of Shkedy US Patent 6, 236, 972

As per claim 52, Kramer discloses a receipt card method, the method comprising: generating point of sale data for a transaction, wherein the point of sale data identifies an item and a purchase price for the item, receiving a receipt card on which is imprinted an account number that identifies an electronic address of a receipt card server and identifies a receipt card account number, receiving a form of payment for the transaction, wherein the form of payment is one of cash and credit, wherein the receipt card is not a form of payment; generating unique transaction identification information; generating an electronic receipt that identifies the point of sale data, the receipt card account number, the unique transaction identification information, and the form of payment and transmitting the electronic receipt to the electronic address of the receipt card server (see column 103 lines 7-10 and lines 32-48 and column 88 lines 24-28 and column 92 lines 49-53 and column 102 lines 31-45).

Kramer fail to explicitly teach and transmitting the electronic receipt to the electronic address of the receipt card server.

However Shkedy discloses an example of such a system is the CertAuthority Solution manufactured by CertCo LLC. This system also comes with an optional temper evident hardware based private key that is easy to transport and store securely. An example of a settlement server is the Integrated Commerce Service manufactured by Open Market Inc. It provides back-office services necessary to run Web-based businesses. Services include on-line account statements, order-taking and credit card payment authorization, credit card settlement, automated sales tax calculations, digital receipt generation, account-based purchase tracking, and payment aggregation for low-priced services (see column 16 lines 45-56 and column 4 lines 15-33).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kramer to include and transmitting the electronic receipt to the electronic address of the receipt card server in order to match a transaction with a receipt.

As per claim 53, Kramer discloses wherein said generating unique transaction identification

information further comprises at least one of an identity of the retailer, a transaction number, a gross amount, a sales tax amount, a date and a time (see column 103 lines 7-10 and lines 32-48 and column 88 lines 24-28 and column 92 lines 49-53 and column 102 lines 31-45).

Conclusion
RESPONSE TO ARGUMENTS

5. Applicant's argument filed 11/4/2010 has been fully considered but they are moot in view of new grounds of rejection.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B. Graham whose telephone number is 571-272-6795. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alexander Kalinowski/
Supervisory Patent Examiner, Art Unit
3691

CG

Nov 15, 2010